



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,267	03/29/2001	Kazutoyo Machiro	6514-8	4470

7055 7590 06/14/2006

GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER

DOAN, DUYEN MY

ART UNIT PAPER NUMBER

2152

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,267

Applicant(s)

MAEHIRO ET AL.

Examiner

Duyen M. Doan

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,10 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,10 and 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detail Action

This office action is in response to the submission on filed on 4/7/2006. Claims 1, 4-5, 10, 13-18 are presented for examination. Claims 2-3, 6-9, 11-12 are cancelled.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 17-18 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 17-18 currently recite a computer program to perform the method of claim 1 is nonstatutory as not being tangible embodied in a manner so as to be executable.

Data structure not claimed as embodied in computer-readable media are descriptive material *per se* and are not statutory because they are not capable of causing functional change in the computer. See, e.g., *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760. Such claimed data structure do not define any structural and functional interrelationship between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized.

Art Unit: 2143

In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationship between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-5, 10, 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter AAPA), in view of Schirris, US 2002/0193986 and further in view of Albal et al (us pat 6,725,256) (hereinafter Albal).

As per claim 1, AAPA teaches an information processing apparatus capable of sending a message about a schedule to a second information processing apparatus through a communications network, wherein the second information processing

Art Unit: 2143

apparatus is capable of analyzing the message being received and extracting words or phrases for entering into the schedule managed by a scheduler (AAPA, pg 1-2):

However, AAPA does not explicitly teach:

a first storage device that stores a group of first data sets in which the words or phrases are matched to respective identifiers, while a second storage device in the second information processing apparatus stores a group of second data sets corresponding to words or phrases having the same meanings as the words or phrases corresponding to the respective identifiers of the first data sets;

a word or phrase selector that selects at least one word or phrase from the words or phrases stored in the first storage device; an extractor that extracts a specific identifier corresponding to the selected word or phrase from the first data sets; and a transmitter that transmits the extracted identifier as the message to the second information processing apparatus; wherein the identifier transmitted from the information processing apparatus is converted to a specific word or phrase on the basis of the second data sets stored in the second storage device; wherein the words or phrases stored in the first storage device are represented by a first natural language, while the words or phrases stored in the second storage device are represented by a second natural language that is different from the first natural language. In a similar system, Schirris teaches: a first storage device that stores a group of first data sets in which the words or phrases are matched to respective identifiers (Schirris, [0010]; [0056], where the search terms are predefined, and each term are associated with a predetermined UID value), while a second storage device in the second information

Art Unit: 2143

processing apparatus stores a group of second data sets corresponding to words or phrases having the same meanings as the words or phrases corresponding to the respective identifiers of the first data sets (Schirris, Fig. 2A, item 114 and 116, wherein the corresponding UID values are linked to each other for purpose of translation of similar terms identified by UID values; [0049], [0051], [0053], wherein the UID values are searched and words with similar meanings are returned in response to a query); a word or phrase selector that selects at least one word or phrase from the words or phrases stored in the first storage device (Schirris, [0056], query selected from predefined list); an extractor that extracts a specific identifier corresponding to the selected word or phrase from the first data sets (Schirris, [0051], UID values are determined using parse); and a transmitter that transmits the extracted identifier as the message to the second information processing apparatus (Schirris, [0051-0053], wherein the UID values are sent to database and stored relevant results are returned), wherein the identifier transmitted from the information processing apparatus is converted to a specific word or phrase on the basis of the second data sets stored in the second storage device (Schirris, [0049], [0051-0053], wherein the original term is searched and synonymous UID values in other languages are retrieved from the database), wherein the words or phrases stored in the first storage device are represented by a first natural language, while the words or phrases stored in the second storage device are represented by a second natural language that is different from the first natural language (Schirris, Fig 2A, where the system supports multiple languages; [0040], databases can be part of a larger distributed system).

Art Unit: 2143

It would have been obvious to the person of ordinary skill in the art at the time of the invention to incorporate Schirris teaching with of AAPA because the combination would improve the capabilities of AAPA's system, by allowing for support of multiple languages (Schirris, [0044-0045]).

The combination of AAPA and Schirris does not explicitly disclose a receiver that receives message from the second information processing when a user of the second information processing apparatus has received the transmitted message.

Albal teaches a receiver that receives message from the second information processing when a user of the second information processing apparatus has received the transmitted message (see col.6, lines 1-5, send a receipt to sender notify that the recipient of the email message has received the email message).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Albal to the apparatus of AAPA and Schirris to send the message back to the sender to notify the sender that the recipient has received the email message, for the purpose of ensuring the deliverance of the email messages between the sender and the recipient.

As per claim 4, AAPA-Schirris-Albal discloses the invention substantially as rejected in claim 1 above, including:

wherein the words or phrases of the first and the second storage devices are grouped into different categories and then stored in the first and the second storage devices, respectively (see Schirris, [0040]; Fig 2A, where the languages and UIDs are grouped together in separate databases).

As per claim 5, AAPA teaches an information processing apparatus capable of receiving a message about a schedule from a second information processing apparatus through a communications network, analyzing the message being received, and extracting words or phrases for entering into the schedule managed by a scheduler, comprising (AAPA, pg 1-2, where the words or phrases are extracted manually or automatically to be entered into a schedule): an entry system that enters the words or phrases converted by a converter into the schedule (AAPA, pg 2, lines 10-20, where the original message is converted into a modified message and the modified message is being put automatically into the schedule).

AAPA does not explicitly teach:

a first storage device that stores a group of first data sets in which the words or phrases are matched to respective identifiers, while a second storage device in the second information processing apparatus stores a group of second data sets corresponding to words or phrases having the same meanings as the words or phrases corresponding to the respective identifiers of the first data sets; a converter that converts the message in the form of the identifiers transmitted from the second information processing apparatus to the words or phrases on the basis of the first data sets stored in the first storage device; and wherein the words or phrases stored in the first storage device are represented by a first natural language, while the words or phrases stored in the second storage device are represented by a second natural language that is different from the first natural language.

However, Schirris teaches:

Art Unit: 2143

a first storage device that stores a group of first data sets in which the words or phrases are matched to respective identifiers (Schirris, [0010]; [0056], where the search terms are predefined, and each term are associated with a predetermined UID value), while a second storage device in the second information processing apparatus stores a group of second data sets corresponding to words or phrases having the same meanings as the words or phrases corresponding to the respective identifiers of the first data sets (Schirris, [0049], [0051], [0053], wherein the UID values are searched and words with similar meanings are returned in response to a query); a converter that converts the message in the form of the identifiers transmitted from the second information processing apparatus to the words or phrases on the basis of the first data sets stored in the first storage device (Schirris, [0049], [0051-0053], wherein the original term is searched and synonymous UID values in other languages are retrieved from the database); and

wherein the words or phrases stored in the first storage device are represented by a first natural language, while the words or phrases stored in the second storage device are represented by a second natural language that is different from the first natural language (Fig 2A, where the system supports multiple languages; [0040], databases can be part of a larger distributed system).

It would have been obvious to the person of ordinary skill in the art at the time of the invention to incorporate Schirris teaching with of AAPA because the combination would improve the capabilities of AAPA's system, by allowing for support of multiple languages (Schirris, [0044-0045]).

Art Unit: 2143

The combination of AAPA and Schirris does not explicitly disclose a receiver that receives message from the second information processing when a user of the second information processing apparatus has received the transmitted message.

Albal teaches a receiver that receives message from the second information processing when a user of the second information processing apparatus has received the transmitted message (see col.6, lines 1-5, send a receipt to sender notify that the recipient of the email message has received the email message). The same motivation was utilized in claim 1 applied equally well to claim 5.

As per claim 10, claim 10 is rejected for the same reasons as rejection to claim 3 above.

As per claims 13-18, claims 13-18 are rejected for the same reasons as rejection to claim 1 above.

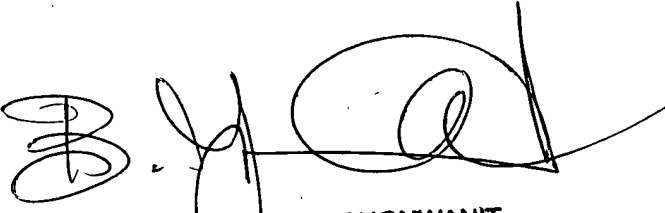
Response to Arguments

Applicant's arguments with respect to amended claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

Art Unit: 2143

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner
Duyen Doan
Art unit 2152